

**ROBINSON BROG LEINWAND GREENE
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A. Mitchell Greene, Esq.
Attorneys for the Reorganized Debtor

Hearing Date and Time:
September 9, 2014 at 9:30 a.m.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

X

Confirmed Chapter 11

In re:

**EMMONS-SHEEPSHEAD BAY
DEVELOPMENT, LLC,**

Case No.: 12-46321 (ESS)

Debtor.

X

**METROPOLITAN ESTATES, INC., ALEX
DIKMAN, ALBERT WILK D/B/A WILK
REAL ESTATE, LTD., and
METROPOLITAN ESTATES, INC., ALEX
DIKMAN, and ALBERT WILK
derivatively
on behalf of EMMONS AVENUE, LLC,**

Adv. Pro. No. 14-01003 (ESS)

Plaintiffs,

v.

**EMMONS-SHEEPSHEAD BAY
DEVELOPMENT LLC,**

Defendant.

**NOTICE OF MOTION FOR ORDER DISMISING COMPLAINT PURSUANT TO RULE
7012 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE
AND GRANTING RELATED RELIEF**

PLEASE TAKE NOTICE, that upon the annexed motion of **Emmons-Sheepshead Bay
Development, LLC**, the defendant and reorganized debtor herein (the “Reorganized Debtor”),

by its attorneys **Robinson Brog Leinwand Greene Genovese & Gluck P.C.**, dated July 30, 2014, a hearing (the "Hearing") will be held before **the Honorable Elizabeth S. Stong, United States Bankruptcy Judge, at the United States Bankruptcy Court, Eastern District of New York, 271 Cadman Plaza East, Courtroom 3585, Brooklyn, New York 11201 on September 9, 2014 at 9:30 A.M.** in the forenoon of that day, or as soon thereafter as counsel can be heard, for an Order Dismissing Complaint Pursuant to Rule 7012 of the Federal Rules of Bankruptcy Procedure and Granting Related Relief.

PLEASE TAKE FURTHER NOTICE, that objections, if any, to the relief sought in the motion, must be in writing setting forth the facts and authorities upon which an objection is based, filed with the Clerk of the Court, United States Bankruptcy Court, 271 Cadman Plaza East, Brooklyn, New York 11201, with a copy to Chambers, provided, however, that pursuant to *general order* No. M-559 re Electronic Case Filing Procedures (as amended from time to time), entities with Internet access shall file objections (formatted with Adobe Acrobat, rider 3.0) at <http://www.nyeb.uscourts.gov>., and served so as to be received by the attorneys for the Reorganized Debtor, Robinson Brog Leinwand Greene Genovese & Gluck P.C., 875 Third Avenue, New York, New York 10022, Attention: Lori A. Schwartz, Esq., and the United States Trustee's Office, Eastern District of New York, 201 Varick Street, Suite 1006, New York, New York 10014, Attention: Marylou Martin, Esq. no later than **seven (7) days** prior to the Hearing.

PLEASE TAKE FURTHER NOTICE, that the Hearing may be adjourned from time to time without further notice except by announcement of such adjournment in open court on the date scheduled for the Hearing.

DATED: New York, New York
July 30, 2014

**ROBINSON BROG LEINWAND GREENE
GENOVESE & GLUCK P.C.**

Attorneys for the Reorganized Debtor

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New York, New York 10022

Tel. No.: (212) 603-6300

By: /s/ A. Mitchell Greene
A. Mitchell Greene